

AN ACT

ENTITLED, An Act to revise certain solid waste reduction goals and landfill bans.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34A-6-60 be amended to read as follows:

34A-6-60. The Legislature intends by §§ 34A-6-59 to 34A-6-92, inclusive, to establish programs and regulations that reduce the waste stream disposed of in landfills in this state and thus protect the public health, safety, and welfare of all South Dakotans, protect the environment, and return resources back to industry for reuse. The goal of the state is to reduce the amount of materials in the waste stream being landfilled. The amount of materials being landfilled shall be reduced using appropriate methods and technology through the practice of solid waste reduction, waste diversion, reuse, recycling, composting, and waste-to-energy. The goal of the state is to reduce the waste stream disposed in landfills by fifty percent by July 1, 2001. For the purposes of this section, the term, waste stream, means the disposal of solid waste as defined in § 34A-6-1.3.

The base year for establishing the amount of materials in the waste stream is the calendar year 1990. Total tonnage of solid waste landfilled in the calendar year 1990 is the basis for all waste reduction calculations. In the absence of scale data and cubic yardage data of waste materials landfilled, the base tonnage is calculated as eight-tenths of a ton per year per person, in residence, serviced by the landfill. Tonnage may be estimated by equating one cubic yard of solid waste received at the landfill gate to seven hundred pounds of solid waste. In determining the reduction level of the waste stream, it is assumed that each person in 1990 generated eight-tenths of a ton per year of municipal solid waste.

Any landfill that conducted waste reduction or recycling programs before the 1990 base calendar year and increased its ability to reduce waste stream volume may receive credit for prior recycled tonnage in the solid waste source reduction and recycling plan required by § 34A-6-74. Similarly, any landfill that has experienced or will experience a growth in its population served may submit

justification for increased tonnage, even after waste reduction or recycling programs have been implemented.

Section 2. That § 34A-6-67 be amended to read as follows:

34A-6-67. In order to achieve the waste reduction goals provided for under § 34A-6-60, no landfill in the state may accept yard waste, lead acid batteries, waste motor oil, or white good appliances for disposal.

Office and computer paper, old newspaper, magazines, telephone books, corrugated cardboard, other marketable paper products, containers made from plastic, aluminum and steel, and other municipal solid waste materials that are diverted from landfilling using appropriate methods and technology count toward the waste reduction goal. Appropriate methods and technology includes recycling facilities.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1174

\_\_\_\_\_  
Chief Clerk  
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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1174

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_ ,

19\_\_ at \_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 19\_\_

\_\_\_\_\_  
Governor  
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STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 19\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State